

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,
RANDALL TODD TOWNSEND,
CHRISTIE L. TOWNSEND,
DYLAN STAMPER, DIXIE PANKOTAI,
and ANDREW WILLIAM PANKOTAI,

Claimants,

vs.

No. 17-CV-253 SWS-MLC

UNITED STATES, INC., et al.,

Defendants.

REPLY IN SUPPORT OF MOTION TO DISMISS

On March 29, 2017, the Valencia County Defendants filed their Motion to Dismiss all claims brought by Plaintiffs against them. See Doc. 7. A response to the motion was due on April 17, 2017. See D.N.M.LR-Civ. 7.4(a) ("A response must be served and filed within fourteen (14) calendar days after service of the motion"); see Fed.R.Civ.P. 6(d), adding 3 days if service is made by mail.

Plaintiffs have failed to file a response as of the date of this reply (April 19, 2017), nor have Plaintiffs, any one of them, or counsel on their behalf, contacted undersigned counsel to request an extension of time, nor have they filed a motion seeking an extension of time.

By operation of the rules, the failure by Plaintiffs to file a timely response constitutes consent to grant the motion at bar. See D.N.M.LR-Civ. 7.1(b).

WHEREFORE, for the reasons set forth herein and in the motion (Doc. 7), Defendants respectfully move the Court to grant the motion and dismiss with prejudice all claims brought against the

Defendants Valencia County, Valencia County Detention Department,
Sheriff Louis Burkhard, Daniel Martinez, Gary Hall and Joe Chavez.

Respectfully submitted,

LAW OFFICE OF MICHAEL DICKMAN

By: /s/ Michael Dickman
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County of Valencia,
Valencia County Detention Dep't,
Louis Burkhard, Daniel Martinez,
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CERTIFICATE OF SERVICE

I certify that I caused copies of this reply
to be electronically served on
all counsel of record
at their email addresses as registered on CM/ECF
and to be mailed by U.S. mail, postage prepaid, to

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on the date of filing hereof

/s/ Michael Dickman
MICHAEL DICKMAN